

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE  
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM # 2: CalWORKs Stage One Child Care Technical Language

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held September 22, 2016, as follows:

Office Building # 8  
744 P Street, Room 103  
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on September 22, 2016.

Following the public hearing CDSS may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below:

CONTACT: Office of Regulations Development  
California Department of Social Services  
744 P Street, MS 8-4-192  
Sacramento, California 95814  
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## CHAPTERS

Manual of Policies and Procedures (MPP), Chapters 47-200 and 47-400

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The passage of Assembly Bill 1944 (Ch. 460, 2014 Stats.) (AB 1944), relating to child care, repeals the requirement for parents to sign and return the Notification and Certification for 11- and 12-Year-Old Children (Form CD 9608) to their contractor prior to the child's 11th birthday, identifying the reason why a before or after school program did not meet all or part of the child care needs of the family. These proposed regulations aim to conform to AB 1944 and clarify reporting requirements for 11 and 12 year-old children.

In addition, the proposed regulations require the County Welfare Departments (CWD) to refer to a specific Education Code citation regarding the Family Fee Schedule in the MPP. In order to locate the appropriate section, CDSS regulations must be updated to reflect the correct citation number.

The proposed regulations also adds language to MPP section 47-420.1 that is currently in 47-420.2 regarding Payment of Child Care Costs to the clients and the providers. The rearranging and renumbering in MPP sections 47-420.1 and 47-420.2 will simplify directions for CWDs involving payments to child care providers and child care clients. The changes will clarify what is needed for payments to both the providers and the clients.

During this process of developing this regulation and amendments, CDSS has conducted a search of similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

### Anticipated Benefits

This regulatory action will benefit the county welfare staff and the parents who access childcare by eliminating additional paperwork that identifies the reason why a before or after school program did not meet all or part of the child care needs of the family. The regulations will benefit CDSS and CWDs by updating correct citation and section numbers in the MPP for the purpose of informing counties of what is needed to issue payments to the child care provider.

## COST ESTIMATE

1. Costs or Savings to State Agencies: None
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code sections 17500 - 17630: None
3. Nondiscretionary Costs or Savings to Local Agencies: None
4. Federal Funding to State Agencies: None

## LOCAL MANDATE STATEMENT

There are no "state-mandated local costs" in these regulations.

## STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

The CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made because the regulation changes reduce paperwork for CWDs and families who have children in child care settings. In addition, the other regulation changes will renumber and add technical language to create regulations that are easier to understand.

## STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

## SMALL BUSINESS IMPACT STATEMENT

The CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

## STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California. The benefits of the regulatory action to the health and welfare of California residents, worker safety and the state's environment are as follows: This regulation package will simplify the process for CWDs and families with children in child care by lessening the amount of required paperwork.

## STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

## CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

## AUTHORITY AND REFERENCE CITATIONS

The CDSS adopts these regulations under the authority granted in Welfare and Institutions Code sections 10553 and 10554 and Section 8263 of the Education Code is being referenced to make the regulations more specific.

## CDSS REPRESENTATIVE REGARDING THE RULEMAKING PROCESS OF THE PROPOSED REGULATION

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